

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

JULIA O. FAIGEL DMD, P.C.,

Plaintiff,

v.

IADMD HOLDINGS, LLC,

Defendant.

DEMAND FOR JURY TRIAL

Civil Action No.: 1:18-cv-00797-SM

JOINT MOTION TO CONTINUE AND EXTEND DEADLINES
(Replaces Document No. 28)

Plaintiff Julia O. Faigel DMD, P.C. (“Plaintiff”) and Defendant IADMD Holdings, LLC (“Defendant”), pursuant to Local Rule 16.4(a), jointly request an amendment to the case schedule that the Court entered on November 7, 2018.

Specifically, and as set forth in the attached Civil Form 3, the parties request that:

- The deadline for Motions for Summary Judgment be extended from August 1, 2019 to August 15, 2019; and
- The trial date be moved from the two-week period beginning on October 16, 2019 to the two-week period beginning on November 13, 2019.

The extensions sought in the motion (i) will result in the continuance of the trial, (ii) will not result in the need to extend any deadline set in the discovery plan other than the deadline for Motions for Summary Judgment.

The parties respectfully request these changes in view of the fact that the final deposition in this matter is currently scheduled for July 31, 2019—the day before the completion of discovery.

In order to ensure sufficient time for review of the transcript from that deposition, the parties request a brief, two-week extension of the current deadline for motions for summary judgment.¹

With respect to the requested amendment to the trial date, in reviewing the original schedule the parties believe that additional time is necessary between the filing of summary judgment motions and the start of trial to ensure sufficient time for the Court to review and rule on any such motions and to allow the parties to continue to explore potential settlement of this matter. This is the parties' first request to amend the proposed discovery plan and amending the trial date by one month will not unduly delay this matter.

For these reasons, the parties respectfully request that the Court grant this Joint Motion to Amend Case Schedule.

CERTIFICATION PURSUANT TO LOCAL RULE 7.2(c)

Counsel for Plaintiff Julia O. Faigel DMD, P.C. and counsel for Defendant IADMD Holdings, LLC hereby certify that they have notified their respective clients of this request to continue the trial.

¹ The parties note that no experts have been disclosed in this matter and therefore there should be no need for the filing of any challenges to expert testimony—which are currently due by August 15, 2019. *See* Doc. 20 (Joint Proposed Discovery Plan). As a result, there should be no concern regarding this overlapping deadline.

Date: July 24, 2019

Respectfully submitted,

/s/Kyle McDonald

/s/Brian M. Gaff

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CERTIFICATE OF SERVICE PURSUANT TO LOCAL RULE 5.1(d)

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent via U.S. First Class Mail to those indicated as non-registered participants on July 24, 2019.

/s/ Brian M. Gaff

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